

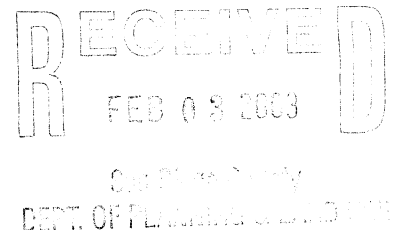
**FINAL ENVIRONMENTAL IMPACT REPORT
STATEMENT OF OVERRIDING CONSIDERATIONS**

ALPINE VILLAGE CENTER

**PROJECT NUMBERS S99-047, ER 99-14-036
SCH# 2000061004**

Lead Agency:

County of San Diego
Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, California 92123



January 2003

Background: Section 15093 of the State CEQA Guidelines states that:

- a. CEQA requires the decision-making body to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable”.
- b. When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- c. If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. The statement does not substitute for, and shall be in addition to findings required pursuant to Section 15091.

The Statement: The decision-making body finds that the mitigation identified in the CEQA Findings for the Project when implemented, mitigate, avoid or substantially lessen most of the significant effects identified in the Final EIR for Alpine Village Center (State Clearinghouse Number 2000061004). Nonetheless, certain significant effects of implementing the Alpine Village Center project are unavoidable even after incorporation of all feasible mitigation measures. These unavoidable significant effects are:

- Short-term (0.5 to 3.5 years) traffic/circulation impacts to the Tavern Road/Interstate 8 interchange associated with the addition of 5 AM and 7 PM westbound trips to this intersection during the course of the AM and PM peak hours, respectively, and 12 AM and 13 PM eastbound trips to this intersection during the course of the AM and PM peak hours, respectively, and
- Short-term (potentially 4.0 years) traffic/circulation impacts to the Tavern Road/Arnold Way intersection associated with 54 AM and 57 PM trips added to this intersection during the course of the AM and PM peak hours, respectively.

The County has adopted all feasible mitigation measures with respect to this impact. In this regard, the County finds that all feasible mitigation measures identified in the CEQA Findings have been, or will be implemented with the Project, and any significant remaining unavoidable effects are acceptable due to the following specific economic, legal, social, technological or other benefits, all of which are based on the facts set forth in the CEQA Findings, Final EIR, and the record of the proceedings for this Project.

Additionally, the County has examined a reasonable range of alternatives to the Project. Based on this examination, the County has determined that none of these alternatives both (1) meets Project objectives, and (2) is environmentally superior to the finally approved Project. This determination is further discussed in the *Alpine Village Center Final EIR* dated July 2002 and the *Final Environmental Impact Report CEQA Findings, Alpine Village Center* dated July 2002.

As a result, to approve the proposed project, the County must adopt a “statement of overriding considerations” pursuant to CEQA Guidelines Sections 15043 and 15093. This statement allows a lead agency to cite a project’s general economic, social or other benefits as a justification for choosing to allow the occurrence of specified significant environmental effects that have not been avoided. The statement explains why, in the agency’s judgment, the Project’s benefits outweigh the unavoidable significant effects.

CEQA does not require lead agencies to analyze “beneficial impacts” in an EIR. Rather, EIRs are to focus on potential “significant effects on the environment,” defined to be “adverse.” (Pub. Res. Code § 21068). The Legislature amended the definition to focus on “adverse” impacts after the California Supreme Court had held that beneficial impacts must also be addressed. (*See Wildlife Alive v. Chickering*, 18 California.3d 190, 206, 132 Cal.Rptr. 377 (1976).) Nevertheless, decision makers benefit from information about Project benefits. These benefits can be cited, if necessary, in a statement of overriding considerations. (*See* California. Code Regs. tit. 14, § 15093.)

Finding: The County finds that the Project would have the following substantial benefits:

1. **Implementation of Existing Land Use Plans:** The Project will implement the County’s General Plan, zoning, Alpine Highlands Specific Plan and Alpine Community Plan with respect to the project site, which have planned for commercial uses on the site for over 25 years.
2. **Conveniently Located Shopping Opportunities:** The Project will provide convenient, state-of-the-art, neighborhood shopping facilities for the existing resident population of Alpine and points east of the community, which will reduce drive time to comparably anchored shopping centers located further away, thereby reducing vehicle miles traveled and the regional air pollutant emissions associated with vehicular travel for supermarket shopping.
3. **New Revenue to County:** The project will have a net positive impact on the County. The annual net revenue generated by sales tax from the Project can be used for countywide services and programs.
4. **Biological Mitigation:** The project applicant is required to buy 3.99 acres of coastal sage scrub and 1.12 acres of Tier III habitat at an approved mitigation bank that will have far more biological value than the degraded on-site habitat.
5. **New Job Opportunities:** The Project would generate both construction jobs

during development of the project and retail and service industry jobs for the life of the project.

6. **Increased Visibility for Existing Businesses:** The addition of project traffic to the area, will increase visibility and perhaps patronage of existing commercial centers in the eastern part of Country Town.
7. **Off-Site Drainage Improvements:** The Project includes pouring a concrete floor and removing the form feature in buttresses in a drainage facility located at Olivewood Lane and Tavern Way, improving the hydraulics and overall operation of the facility.
8. **Traffic Improvements:** The project installs a badly needed traffic signal at Alpine Boulevard/West Victoria Drive/Arnold Way and designs and improves Alpine Boulevard to three-lane Town Collector Road standards from West Victoria Drive to a point approximately 100 feet east of Marshall Road. The applicant will also pay approximately \$21,976 in fair share fees for the improvement of the Tavern Road/Interstate 8 interchange and approximately \$8,715 for the improvement of Tavern Road/Arnold Way intersection.

The project is also installing a traffic signal at Alpine Boulevard and West Victoria/Arnold, making street improvements in the same area, paying \$130,000 as its share of the cost of the realignment of South Grade Road, installing street and sidewalk and curb and gutters in the Alpine Boulevard right of way along the project frontage, and paying approximately \$89,000 in fair share fees. In total, the project is making over \$500,000 of improvements or contributions to the Alpine circulation system even though the project is not generating enough traffic to result in a significant impact to the Alpine Boulevard/South Grade Road intersection, which is located at the northwestern corner of the project site.

The County finds that the proposed project's adverse, unavoidable environmental impacts are outweighed by any of these considerable benefits.